

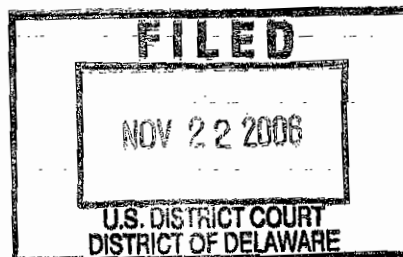
11/15/06

PETER DALLEO,

05-527(SLR)

THESE ARE 2 OTHER POLICE REPORTS OF
MILLSBORO. A GIRLFRIEND WROTE AND STATED
SHE MAILED THE VIDEO. POLICE REPORTS DO
NOT COLLABORATE WITH VIDEO. PLEASE LET ME
KNOW IF CONTENTS AND VIDEO WERE RECEIVED. THANK YOU!

SINCERELY,
DAVID S. YARNALL
DSY
P.O. BOX 500
GEORGETOWN DE
19847



BD Scamney

05/11/2005		MILLSBORO PD		84-05-000562	
Reported Date and Time WED 05/11/2005 2140		Initial Crime Report		Occurred: WED 05/11/2005 2130	
Location: Long Neck RD Grotto Pizza MILLSBORO, DE 19966					
M.O. and Incident Overview: Assist Troop #7 with a Trooper fighting with a subject.					
Grid 168-078	Sector 73	County Sussex	Domestic Related <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4-F-14 Sent? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Gen Broadcast Sent? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Victim Information

Victim Number 001	Name DSP TROOP 7				
Type Government	Sex	Race	Ethnic Origin	Age	D.O.B.
Address 1304 Highway 1 DSP Troop 7 Lewes, DE 19958		Resident Status	Business Telephone (302) 644-5020	Employer/School	Work Telephone
Reporting Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Injured? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Deceased? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Comments		
Injuries		Description of Injuries			

Crimes and Associated Information

Victim Number 001	Crime Seq 001	Statute	Crime Description Assist Other Agency		
Location Of Offense Highway/Roadway/Alley		Status Service Clear 05/11/2005	Involvement <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer		General Offense
Suspected Hate/Bias <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - N/A		Crime Code 8106 - Assist Other Police Agency			
Burglary Force Involved <input type="checkbox"/> Yes <input type="checkbox"/> No					

Investigative Narrative

On the above date and approx. time I was dispatched via Suscom to the above location. I responded and had Ptlm. Lowe in my vehicle also. Upon our arrival Cpl. Mendez was still FALSE fighting and struggling with the subject. Ptlm. Lowe gave the subject commands to stop and when he did not he gave the subject a dry stun with the taser. This brought the subject to the ground and we attempted to keep him there. The subject then made it to his feet and started to try and get away. At this time Ptlm. Lowe Dry stunned the subject again with no affect. The subject still keep running and I took off after him and when I caught him I took him to the ground and Cpl. Mitchell assisted me in taking him down. While Cpl. Mitchell and myself were struggling with him Ptlm. Lowe tasered the subject again this times with the probes. The subject still was fighting with the Troopers and myself and was tasered numerous times. The Troopers and myself held the subject down until the medics could arrive and give him something to control his behavior. service cleared.

Ptlm. LOWE

Reporting Officer PFC BUCHERT - 1065 2		Supervisor Approval BRIAN K CALLOWAY OJMBBKC Date 05/17/2005 1824			
Detective Notified		Referred To			
Solvability Factors	<input type="checkbox"/> Witness <input type="checkbox"/> Suspect Located	<input type="checkbox"/> M. O. <input type="checkbox"/> Suspect Described	<input type="checkbox"/> Trace Stolen Property <input type="checkbox"/> Suspect Identified	<input type="checkbox"/> Suspect Named <input type="checkbox"/> Suspect Vehicle Identified	Status Closed

05/11/2005

MILLSBORO PD

84-05-000562

Supplemental Report

Original Occurrence Dates and Times:

WED 05/11/2005 2130

Grid

168-078

Sector

73

Original Location:

Long Neck RD Grotto Pizza MILLSBORO, DE 19966

Investigative Narrative

On Wednesday, May 11, 2005 at approx. 2137 hours Suscom dispatched via radio any available police officer to respond to Grotto's Pizza Restaurant in Long Neck for a DSP Troop 7 officer needing assistance with a subject fighting with him. I was riding in the vehicle with PFC. Buchert at the time the dispatch came through. We were the first officers to arrive on scene to assist Trooper Cpl. Mendez.

Upon arrival I observed Cpl. Mendez and three civilians struggling with a white male at the front of Cpl. Mendez's vehicle. PFC. Buchert and I ran from our vehicle approx. 35 yards over to Cpl. Mendez and grabbed the subject and I drive stunned him with the taser to stop him from resisting. I observed that the subject was bleeding heavily from the left side of his head and he was hand cuffed but still aggressively resisting. I attempted to put rubber gloves on my hands while the subject was still on the ground because I was getting his blood on my hands and arms when the subject jumped up off the ground and began running away from us. I ran after him and grabbed him by the shoulder and neck area and attempted to drive stun him again but I could not make good contact with taser while running. I backed off of the subject for a short time to put the shooting cartridge on the taser and PFC. Buchert and Cpl. Kelly caught up to the subject and began taking him down to the ground. At that time I fired the taser leads into the subject's back between the shoulder blades and we held him down on the ground. I realized at that time by the subject's actions and speech that he was under some type of drug and or alcohol influence. Cpl. Mendez called Suscom to have Dewey PD bring their Police van to the scene because the subject was too aggressive to put in the back of the ambulance or police car. I had to stun the subject again while we were waiting for more police officers to arrive because the subject would not quit resisting. At that time I zip tied his feet together so he could not run or kick at us anymore. After more officers arrived and loaded the subject into Dewey PD's van we cleared the incident.

Reporting Officer

PTLM LOWE - 10732 001

Solvability Factors *blow*☐ Witness☐ M. O.☐ Suspect Located☐ Suspect Described

Pending Supervisory Review:

☐ Trace Stolen Property☐ Suspect Identified☐ Suspect Named☐ Suspect Vehicle Described

Status

Closed

continued to keep his leg out just far enough that I was unable to trip him forwards or backwards.

Throughout this entire incident, I yelled at D1, telling him to stop resisting. While being pulled around by D1, I told him that I was going to have to strike him with my flashlight if he did not stop resisting. This warning was yelled twice to no avail. While D1 continued moving around with me latched onto his left arm, I raised my division issued mag flashlight and struck D1 across the right side of his head. D1 continued pulling away, and I struck him a second time on the right side of his head causing blood to start running down D1's face. When I struck him the second time, I dropped my flashlight, which was quickly retrieved by a citizen who stopped to help. When D1 started bleeding, I quickly called SUSCOM and had them dispatch an ambulance.

SECOND BLOW CAUSED FLASHLIGHT TO FLY OUT OF MENDEZ'S HANDS
SEEN IN VIDEO. WHERE IS FLASHLIGHT?

After striking D1 with the flashlight, I was able to maneuver him to the right hood area from this point forward, the incident was captured on video (7SP-6345/Tape 7-218). Prior to, the incident was captured on audio only.

I continued to struggle with D1 and had to physically restrain him on the hood of my police vehicle. D1 would seem to calm momentarily before once again trying to raise up off the hood of my car. Everytime D1 tried to raise up, I yelled for him to stay down. Even with my body weight pressed against D1, he was able to lift up and try to stand erect, which was unsuccessful. This struggle went on for a approx 5 minutes before police assistance arrived.

WHERE IS PC3? WHERE IS PTM LOWES EXCESSIVE FORCE. WOULDN'T YOU RUN ~~AWAY~~?

20 SECONDS AFTER

While still pinned up against the car, I could hear sirens approaching. Moments later, 2 Millsboro Police officers arrived and applied the Tazer device upon D1. I released D1 after the tazer shock and he fell forward to the ground. Moments later D1 got back up onto his feet and started running towards Grotto Pizza. We gave chase on foot and caught him in front of the restaurant. At this time, Millsboro Police fired their Tazer device into D1's bare back and shocked him causing him to collapse to the ground.

Over the course of approx 10 minutes, the defendant had to be physically restrained on the ground until the paramedics could sedate him.

Sussex County (PAULA RYAN) WITHHELD POLICE REPORT (PAGE 6) FOR 1 YEAR

Reporting Officer
CPL/2 MENDEZ - 3862 2

Supervisor Approval
STEPHEN T SMYK PSPT697 Date 05/13/2005 0240

INVESTIGATIVE ACTION

On 051105 at 2137hrs I was dispatched to the parking lot of Uncle Willies on Long Neck Rd. to investigate a disorderly subject complaint. Upon arrival, I contacted & interviewed V1 reference the facts of the complaint. While interviewing him, W1 came over to where I was speaking with V1 and made me aware of another incident that had just occurred which was determined to be a related matter. I quickly left Uncle Willies so I could attempt to locate this subject before he got too far away.

As I traveled south on Long Neck Rd, I could see a subject walking on the right shoulder in a southern direction. As I got closer, I could see that the subject was shirtless and was wearing light colored pants. I pulled in behind the subject, and identified myself. When this subject turned around, I observed tattoos on his left and right chest. I ordered this subject to the ground and he did so. I then told him to put his hands behind his back and allow me to cuff him, which he did. At this time, I began to get his personal information so I could perform a wanted check. This subject advised that his name was David S. Yarnall (D1) and his DOB was 00369. I also advised SUSCOM that I had the subject in custody, on the ground, and in front of my police vehicle.

When I started to go back to the police car, D1 started to get up and onto his feet. D1 was able to get back onto his feet before I could get back over to him. I immediately advised USCOM that D1 was resisting and that I needed assistance. When I reached D1, he was starting to walk away from my police car towards Long neck Rd. When I reached D1, I put hands on him and asked him to get back on the ground, which he refused to do. D1 then started to quickly walk away from me, and I latched onto his left arm with my left arm.

Once I was able to grab D1's arm, I attempted to put him in an arm bar and restrain him up against the passenger side of my patrol vehicle. D1 continued to pull away and was actually moving both of us towards Long Neck Rd. As I struggled with D1, I tried to get my right foot in front of his and trip him face first onto the ground. D1 seemed extremely strong and continued to keep his leg out just far enough that I was unable to trip him forwards or backwards.

Throughout this entire incident, I yelled at D1, telling him to stop resisting. While being pulled around by D1, I told him that I was going to have to strike him with my flashlight if he